

**Training Manual for Specialised Course for Prison Officers (Asst. Jailor
to Superintendent of Prisons)**
on
Leadership in Prison Administration
(One Week)
2022



Bureau of Police Research and Development
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महानिदेशक

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Message

Capacity Building of the prison staff is one of the key components of Prison Reforms. This equips the Prison Officers and Staff with the essential knowledge, skills and attitude to diligently discharge their duties in varied and complex areas related to Prisons and Correctional Administration. The MHA has mandated the BPR&D to prepare Training Manuals which can be circulated to all States and UTs for training purposes.

Services of 11 Individual Consultants with subject matter expertise were hired in 2021 to prepare the 50 Prison Training Manuals for various categories of Staff in Prisons. Numerous rounds of stakeholder consultations were held to finalize the drafts. The Manuals have adopted the contemporary principles of training and learning for indoor and outdoor classes, field visits and practical sessions and these have been prepared in compliance with the national and international best practices, the laws of the land, and the technological advancements in Prisons & Correctional Administration. The drafts were also uploaded on the BPR&D website for inviting suggestions/feedback from the stakeholders and citizens.

I extend my special appreciation to the 11 Individual Consultants, the Special Consultant (Master Trainer, DoPT) and the members of the Monitoring Committee who were instrumental in the preparation of these 50 Prison Training Manuals.

I am sanguine that these Manuals will bring about standardization of the training procedures and contents to a large extent and also facilitate capacity building of the Officers and Staff of the Prisons and Correctional Administration in the country.

(Balaji Srivastava)

"Promoting Good Practices and Standards"

Patron

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DAY-1

Learning Unit (LU)

LU1 : Need for Prison Oversight Mechanisms and Transparency

LU2 : Types of Prison Oversight - Internal and External : Key Provisions

LU3 : Human Rights Principles in Prisons and Oversight Mechanisms

DAY-2

LU4 : Right to Information Act, 2005

LU5 : External Monitoring Mechanisms (International Practices)

LU6 : Positive Attitude

DAY-3

LU7 : Internal Inspections in Indian Prisons

LU8 : Prisoner Grievance Redressal System

- LU9 : Prison Visiting System : Board of Visitors (BOVs), non-official visitor
- LU10 : Field Visit to Prison

DAY-4

- LU11 : Judicial Oversight of Prisons
- LU12 : Prison Oversight and Role of Legal Services Authority
- LU13 : Role of Prison Officers with regard to Under trial Review Committee (UTRC)
- LU14 : Oversight of Premature Release of Prisoners
- LU15 : Role of Media in Prison Oversight

DAY-5

- LU16 : External Oversight –Role of NHRC in Prison Oversight (Protection of Human Rights and Discussion on Directions of NHRC on Prisons)
- LU17 : Oversight Mechanism for Women Prisoners and Children
- LU18 : Role of NGOs in Prison Oversight

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Emergence of the Course

The BPR&D has prepared 50 Prison Training Manuals for various ranks of Staff and Officers in Prison Administration under the categories viz., 05 Basic Courses, 08 In-Service Courses, 30 Specialized Courses, 02 Vertical Interaction Courses and 05 Handbooks for improving the quality and standardizing training of all Prison Officers and Staff across the country and to augment professional competency and capacity building of Prison Officers and Staff.

These Prison Training Manuals are objective-oriented, learner centric and are outcome of several brainstorming sessions, consultative meetings (Online and Offline) and workshops for conceptualizing the drafts. Comments of the Monitoring Committee, Reports of Training Needs Analysis (TNA) for Prisons & Correctional Administration, National Training Policy (2012) have also been taken into account. In addition, various national and international practices, MHA Advisories, Landmark Judgements of the Apex Court and the High Courts, Statutory Acts/Rules have also been referred to in course of preparation of these training manuals. The design perspective of the Department of Personnel & Training, Government of India, has been adopted.

Introduction

The prison system operates as a unique environment. The Prison services need not only effective officers but also good leaders. A variety of leadership competencies are required in order to develop effective leadership in prisons. A Prison Leader must be able to lead a team and motivate staff to work for organizational goals and bring reforms and improvements in the prison system. A leader in Prison Administration should ensure that the prisons are safe, decent, humane and orderly places. A good leader is guided by a strong sense of fairness, respect for others, and upholding the rule of law in order to command respect.

The objective of this one-week course on ‘Leadership in Prison Administration’ for the ranks of Assistant Jailor to Superintendent of Prison which has seventeen Learning Units is to enhance leadership skills in prison administration as per emerging working environment. This Training Course provides a framework for critical reflection and practice in developing leadership skills.

(FOR TRAINERS AND PARTICIPANTS)



COURSE GUIDE

**Specialised Course for Prison Officers (Asst. Jailor to Superintendent
of Prisons)
on
Leadership in Prison Administration
(One Week)**

INTRODUCTION

Organizations need to continuously grow and develop and must be prepared to face the ever-merging challenges. The Prison Department and the role of Prison Officers is no exception to this. Training is an instrument to help the Prison Administration in meeting the twin challenges of continuous improvement and demands of change.

AIM

To impart knowledge and skills about the need of prison oversight mechanisms in Prison Officers.

DESIGNED FOR

Assistant Jailor to Superintendent of Prisons

FACILITATORS

In-House / Guest Faculty. The Guest Faculty can include serving / retired Senior Prison Officers, Legal experts, SLSA/DLSA Members, Management experts, Media and NGOs, etc.

STYLE OF THE COURSE

This course encompasses a series of practical learning activities. The Course is delivered through multiple media, styles and activities with a 'self-directed learning approach' simulated by the use of field-based situations and sharing of best practices in prison management. Therefore, participants are acquainted to take responsibility, both for their own learning and in helping the development of other participants. Participants shall be encouraged to share their learning experience with others, and to give and received support and feedback.

OBJECTIVES

At the end of training, participants will be able to -

Unit – 1

Training Objective Explain the need for oversight mechanisms in prisons

- Enabling Objectives
1. Articulate the need for transparency in prisons.
 2. Describe Prison Culture
 3. Explain the need for Oversight Mechanisms in Prisons

Unit – 2

Training Objective Explain the types of Prison Oversight

- Enabling Objectives
1. State the types of Prison Oversight
 2. Differentiate between internal and external prison oversight
 3. Explain the types of Prison Oversight

Unit - 3

Training Objective Explain the Human Rights Principles in prisons

- Enabling Objectives
1. State the Human Rights Principles that apply in prisons
 2. Discuss the international framework for Human Rights in Prison
 3. Explain the Human Rights Principles in prisons

Unit – 4

Training Objective Explain the major provisions of the Right to Information Act, 2005

- Enabling Objectives
1. State the salient features of RTI Act.
 2. Explain the Role of the Information Officer
 3. Explain the role of State Information Commission (SIC)/ Central Information Commission (CIC)
 4. Explain the major provisions of the Right to Information Act, 2005

Unit – 5

Training Objective Explain the types of Monitoring and Inspection Mechanisms in other countries

- Enabling Objectives
1. Distinguish between monitoring and inspections mechanisms
 2. State the international external monitoring and inspecting bodies
 3. Describe the best practices in prison monitoring in other countries
4. Explain the types of Monitoring and Inspection Mechanisms in other countries

Unit – 6

Training Objective Explain ways of building Positive Attitude

- Enabling Objectives
1. Describe Attitude
 2. Explain ways of building Positive Attitude

Unit – 7

Training Objective Explain the types of internal inspections of prisons in India

- Enabling Objectives
1. Describe the types of internal inspections that take place in Indian prisons
 2. State the purpose and importance of internal inspections
 3. Explain the process of internal inspections of prisons that take place in India

Unit – 8

Training Objective Explain the Prisoner Grievance Redressal System available to prisoners

- Enabling Objective
1. State the types of grievance redressal mechanism in the prisons
 2. Examine the importance of prisoner's grievance redressal
 3. Explain the Grievance Redressal system available to prisoners

Unit – 9

Training Objective Explain the Prison Visiting System

- Enabling Objectives
1. State the composition Board of Visitors
 2. State functions of the BoV
 3. State the Do's and Don'ts for Non-Official Visitors (NOVs)
 4. Explain the Prison Visiting System

Unit - 10

Training Objective Explain the practical aspects of facilitating prison visits of Non-Official Visitor (NOVs).

- Enabling Objective
1. State the checklist for prison visitors
 2. Explain the practical aspects of facilitating prison visits of NOVs

Unit – 11

Training Objective Explain the role of the District Judge while inspecting a Prison

- Enabling Objective
1. Describe the legal provisions related to judicial inspection of prisons
 2. Explain the role of the District Judge while inspecting a Prison

Unit – 12

Training Objective Explain the role of District Legal Services Authorities in Monitoring the undertrials in Prisons

- Learning Objective
1. Explain the functioning of DLSA /SLSA
 2. State the composition of Undertrial Review Committee
 3. Explain NALSA Standard Operating Procedure on UTRC

4. Explain the Role of DSLSA for the Undertrial Review Committee

Unit – 13

Training Objective Explain the Role of Prison Staff in preparing lists of undertrials for the UTR Committee

- Enabling Objectives
1. State the role of the Prison Superintendents regards the UTR Committee
 2. Explain the Role of Prison Staff in preparing lists of undertrials for the UTR Committee

Unit – 14

Training Objective Evaluate the efficacy of the Parole, Furlough and Remission Mechanisms in prisons

- Enabling Objectives
1. Explain the need of oversight of the Parole and Furlough Mechanism of the prison
 2. Evaluate the efficacy of the Parole, Furlough and Remission Mechanisms in prisons

Unit – 15

Training Objective Discuss the importance of media in bringing transparency and accountability to the prison system

- Enabling Objective
1. Discuss the role of media in promoting accountability
 2. Discuss the importance of media in bringing transparency and accountability to the prison system

Unit – 16

Training Objective Discuss various directions by NHRC on prison-related matters

- Enabling Objectives
1. List the major provisions of the Protection of Human Rights
 2. Discuss the directions of the NHRC on prison-related matters

Unit 17

Training Objective Explain the oversight mechanism for women prisoners

- Enabling objectives
1. Discuss the grievance redressal of women prisoners and their special needs
 2. Describe the role of NCW as an oversight body for women in prison
 3. Explain the oversight mechanism for women prisoners

Unit 18

Training Objective Discuss the Role of NGOs in monitoring prisons

- Enabling objectives
1. Discuss the role of NGOs in promoting accountability in prisons
 2. Discuss the role of NGOs in monitoring prisons

ASSESSMENT

The priority during the Course is to assist participants to develop their skills. Assessment is, therefore, concerned with informal feedback and advice to individual participants.

TIME TABLE

DAY/TIME	CONTENT	OBJECTIVES
DAY-1 0915-1000 1000-1030	Registration Session – I : Ice–Breaking Session and Ground Rules Objectives of the Course Inauguration of the Course	
1045-1200	Session- II : Need for Prison Oversight and Transparency	1.1 1.2 1.3
1215 -1330	Session-III :Types of Prison Oversight - Internal and External : Key Provisions	2.1 2.2 2.3
1430 - 1530	Session- IV :Human Rights Principles in Prisons and Oversight Mechanisms (Contd.)	3.1 3.2
1545 - 1645	Session-V : Human Rights Principles in Prisons and Oversight Mechanisms	3.3
DAY-2 0915 –1030	Recap Session -I : Right to Information Act, 2005 (Contd.)	4.1 4.2
1045–1200	Session- II : Right to Information Act, 2005	4.3 4.4
1215 - 1330	Session-III : External Monitoring Mechanisms (International Practices)(Contd.)	5.1 5.2
1430 -1530	Session- IV :External Monitoring Mechanisms (International Practices)	5.3 5.4
1545 - 1645	Session-V : Positive Attitude	6.1 6.2

DAY/TIME	CONTENT	OBJECTIVES
DAY – 3 0915 – 1030	Recap Session -I : Internal Inspections in Indian Prisons	7.1 7.2 7.3
1045 – 1200	Session – II :Prisoner Grievance Redressal System	8.1 8.2 8.3
1215 -1330	Session-III : Prison Visiting System : BoV, NOV	9.1 9.2 9.3 9.4
1430 – 1530	Session- IV : Field Visit to Prison	10.1 10.2
1545 –1645	Session-V : Field Visit	
DAY – 4 0915 – 1030	Recap Session - I : Judicial Oversight of Prisons	11.1 11.2
1045– 1200	Session – II :Prison Oversight and Role of Legal Services Authority	12.1 12.2 12.3 12.4
1215 – 1330	Session-III : Role of Prison Officers with regard to Undertrial Review Committee (UTRC)	13.1 13.2
1430 – 1530	Session- IV : Oversight of Premature Release of Prisoners	14.1 14.2
1545 – 1645	Session- IV : Role of Media in Prison Oversight	15.1 15.2

DAY/TIME	CONTENT	OBJECTIVES
DAY – 5 0915 – 1030	Recap Session -I : External Oversight –Role of NHRC in Prison Oversight (Protection of Human Rights and Discussion on Directions of NHRC on Prisons)	16.1 16.2
1045– 1200	Session- II : Oversight Mechanism for Women Prisoners and Children (Focus on Grievance Redressal for Women prisoners Role of NCW, State Commission for Women)	17.1 17.2 17.3
1215 - 1330	Session-III : Role of NGOs in Prison Oversight	18.1 18.2
1430 – 1530	Feedback Session	
1545	Valediction	

Note :

Session I	0915 - 1030
Session II	1045 - 1200
Session III	1215 - 1330
Session IV	1430 - 1530
Session V	1545 - 1645
Yoga	0630 - 0730
Library	1700 - 1730
Sports	1730 - 1830
Tea Break	1030 - 1045 1530 - 1545
Break	1200 - 1215
Breakfast	0800 - 0845
Lunch	1330 – 1430
Dinner	1930 – 2100

Indoor : 5.45 Hours (3.45 Hrs. in morning + 2 Hrs. in evening)

Outdoor : 1 Hr.

Library : ½ Hour

Tea / Break : 45 Minutes

Breakfast : 45 Minutes

Lunch : 1 Hr.

Dinner : 1 ½ Hr.



TRAINER GUIDE

**Specialised Course for Prison Officers (Asst. Jailor to Superintendent
of Prisons)
on
Leadership in Prison Administration
(One Week)**

INTRODUCTION

The ‘Trainer Guide’ is a comprehensive overview of the content and process of the Course. It is designed in a structured format that presents the assembled information and the planned activities with learning outcomes. Trainer Guide serves as a “Map” for sequential implementation of various content segments.

The Trainer Guide also:-

- Helps continuous recall;
- Provides scope for storing illustrations, faculty questions, anticipated participants questions and appropriate responses;
- Contains details of points for briefing & debriefing of case study, exercises, Films, etc.;
- Serves as a reminder to administer exercises; and
- Guides on the use of media.

Pre-Course Preparation:

1. Get an idea on number and list of participants from the Course Coordinator
2. Resource Kit, Name plates, Name badges of participants be kept ready.
3. Photocopies of Handout, exercises for participants should be kept separately and distributed before the session.
4. Brief introduction about Resource Persons / Guest Speakers
5. Permissions for field visit to prison

For Trainer

- Trainer Guide
- References

For Participants

- Course Guide
- Handouts, Checklist, Exercises
- MCQs / Assessment Questions

DAY-WISE TIME TABLE

DAY – 1		
Time	Content	Remarks
0915 -1000	Registration	Registration Form-1 and Distribute Course Guide to participants
1000 - 1030	Session -I : Ice–Breaking Session and Ground Rules Objectives of the Course Inauguration of the Course	Ice-Breaking Activity (FIND) Name Tags and Name Plates of Participants. They should get to know each other.
1030-1045	Tea Break	
1045 - 1200	Session -II : Need for Prison Oversight and Transparency	HO-1
1215-1330	Session- III : Types of Prison Oversight: Internal and External : Key Provisions	HO-2
1330 - 1430	Lunch	
1430 - 1530	Session- IV : Human Rights Principles in Prisons and Oversight Mechanisms (Contd.)	HO-3
1530 - 1545	Tea Break	
1545 – 1645	Session-V : Human Rights Principles in Prisons and Oversight Mechanisms	https://www.youtube.com/watch?v=TCgPhZ3ZSgM

DAY – 2

Time	Content	Remarks
0900 -0915	Recap	
0915 - 1030	Session -I : Right to Information Act, 2005 (Contd.)	HO-4 Quiz-1 Ans. : Q1-a 35 days (5+30) Q1 (b) 48 Hrs. Q2 (Rs. 25000/-)
1030 - 1045	Tea Break	
1045 - 1200	Session- II : Right to Information Act, 2005	CL-1
1200 - 1215	Break – Stretch Exercise	
1215 -1330	Session-III : External Monitoring Mechanisms (International Practices)(Contd.)	HO-5
1330 - 1430	Lunch	
1430 - 1530	Session- IV :External Monitoring Mechanisms (International Practices)	
1530 - 1545	Tea Break	
1545 - 1645	Session-V : Positive Attitude	

DAY – 3

Time	Content	Remarks
0900 - 0915	Recap	
0915 - 1030	Session -I : Internal Inspections in Indian Prisons	HO-6
1030 – 1045	Tea Break	
1045- 1200	Session II : Prisoner Grievance Redressal System	HO-7
1200 – 1215	Break	
1215 – 1330	Session-III : Prison Visiting System : BoV, NOV	HO-8 CL-2
1330 -1430	Lunch	
1430 - 1530	Session- IV : Field Visit to Prison	Field Visit Form
1530 -1545	Tea Break	
1545 – 1645	Session-V : Field Visit	

DAY – 4

Time	Content	Remarks
0900- 0915	Recap	
0915 - 1030	Session - I : Judicial Oversight of Prisons	
1030 - 1045	Tea	
1045 - 1200	Session – II :Prison Oversight and Role of Legal Services Authority	
1200 – 1215	Break	
1215 - 1330	Session-III : Role of Prison Officers with regard to Undertrial Review Committee (UTRC)	HO-9
1330 - 1430	Lunch	
1430 – 1530	Session- IV : Oversight of Premature Release of Prisoners	
1545 - 1645	Session- V : Role of Media in Prison Oversight	

DAY – 5

Time	Content	Remarks
0900 - 0915	Recap	
0915 - 1030	Session -I : External Oversight –Role of NHRC in Prison Oversight (Protection of Human Rights and Discussion on Directions of NHRC on Prisons)	HO-10
1030 - 1045	Tea Break	
1045 – 1200	Session- II : Oversight Mechanism for Women Prisoners and Children (Focus on Grievance Redressal for Women prisoners Role of NCW, State Commission for Women)	
1200 – 1215	Break	
1215 - 1330	Session-III : Role of NGOs in Prison Oversight	CL-3
1330 -1430	Lunch Break	
1430 – 1530	Feedback Session *	
1530 - 1600	Valedictory Address & Distribution of Certificates	

The course co-ordinator should compile the feedback of the participant and submit to the head of the Training Institute

End of Course

DAY-WISE TASKS

5-DAY COURSE

Day – 1

- Registration
- Inauguration
- Detailed Introduction
- Expectations of the course
- Course Overview
- Ground Rules
- Course Guide
- Distribution of the training kit (Training material, Name badges, Course Guide Note pads, etc.)
- Training

Day – 2

- Recap of Day-1
 - Training - Quiz
- Post Lunch
- Training

Day – 3

- Recap of Day-2
 - Training
- Post Lunch
- Field Visit

Day – 4

- Recap of Day-3
- Training

Post Lunch

- Training

Day – 5

- Recap of Day-4
- Learning points of all sessions
- Training
- Feedback session

Post Lunch

- Valediction
- Certificate
- Group Photo with Chief Guest, if any

PART – B

Course Grid

Learning Event

COURSE GRID

COURSE GRID

01 Need for Prison Oversight and Transparency	02 Types of Prison Oversight: Internal and External : Key Provisions	03 Human Rights Principles in Prisons and Oversight Mechanisms
04 Right to Information Act, 2005	05 External Monitoring Mechanisms (International Practices)	06 Positive Attitude
07 Internal Inspections in Indian Prisons	08 Prisoner Grievance Redressal System	09 Prison Visiting System: Board of Visitors, Non-Official Visitor
10 Field Visit to Prison	11 Judicial Oversight of Prisons	12 Prison Oversight and Role of Legal Services Authority
13 Role of Prison Officers with regard to Undertrial Review Committee (UTRC)	14 Oversight of Premature Release of Prisoners	15 Role of Media in Prison Oversight
16 External Oversight –Role of NHRC in Prison Oversight	17 Oversight Mechanism for Women Prisoners and Children	18 Role of NGOs in Prison Oversight

LEARNING EVENT

SPECIALISED COURSE FOR PRISON OFFICERS
(ASST. JAILOR TO SUPERINTENDENT OF PRISONS)
ON
LEADERSHIP IN PRISON ADMINISTRATION
(ONE WEEK)

LEARNING EVENT

Unit	01							
Learning Unit	Need for Prison Oversight Mechanism and Transparency							
Training Objective	At the end of training, participants will be able to explain the need for oversight mechanisms in prisons							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1	Articulate the need for transparency in prisons.	- Prison Environment Prison culture - Need for Transparency Accountability in Prisons - Meaning of Prison oversight and Monitoring : Need & Relevance	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty		Formative Q & A
2	Describe Prison Culture				(20)			
3.	Explain the need for Oversight Mechanisms in Prisons				(25) (30)			

LEARNING EVENT

Unit	02							
Learning Unit	Types of Prison Oversight - Internal and External : Key Provisions							
Training Objective	At the end of training, participants will be able to explain the types of Prison Oversight							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	State the types of Prison Oversight	- Types of Prison Oversight	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty Senior Prison Officer		Q & A
2.	Differentiate between internal and external prison oversight	- Monitoring, Inspections, Audit			(20)			
3.	Explain the types of Prison Oversight	- Internal Monitoring and External Monitoring - Provisions in Prison Manuals, International Mandela Rules			(25) (30)			

LEARNING EVENT

Unit	03							
Learning Unit	Human Rights Principles in Prisons and Oversight Mechanisms							
Training Objective	At the end of training, participants will be able to explain the Human Rights Principles in prisons							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1	State the Human Rights Principles that apply in prisons	- Human Rights : Meaning and Importance	Lecture-cum-Discussion	White Board, Marker, Projection System	120	In-House / Guest Faculty		Q & A
2	Discuss the international framework for Human Rights in Prison	- Human Rights Violations in Prisons			(20)			
3.	Explain the Human Rights Principles in prisons	- International Framework UN Minimum Standards			(40)			
		- Human Rights Principles in prisons - Sunil Batra judgment - Supreme Court on Human Rights of Prisoners			(60)			

LEARNING EVENT

Unit		04						
Learning Unit		Right to Information Act, 2005						
Training Objective		At the end of training, participants will be able to explain the major provisions of the Right to Information Act (RTI), 2005						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	State the salient features of RTI Act.	- RTI Act, 2005 : Object and reasons	Lecture-cum-Discussion	White Board, Marker, Projection System	150	In-House / Guest Faculty Senior Prison Officer		Q & A
2.	Explain the Role of the Information Officer	- Provisions under the RTI Act			(45)			
3.	Explain the role of State Information Commission (SIC)/ Central Information Commission (CIC)	- Role of Public Information Officer (PIO) Time limits, Non-disclosure of information			(30)			
4.	Explain the major provisions of the Right to Information Act, 2005	- Tips for State Public Information Officers - Role of State Information Commission/ Central Information Commission, Appeals			(30) (45)			

LEARNING EVENT

Unit	05							
Learning Unit	External Monitoring Mechanisms (International Practices)							
Training Objective	At the end of training, participants will be able to explain the types of Monitoring and Inspection Mechanisms in other countries							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	Distinguish between monitoring and inspections mechanisms	- Difference between monitoring and inspections mechanisms - Prison Ombudsman - H M Inspectorate in UK Prisons - Prison Inspection System in Australia - Role of International Committee on Red Cross (ICRC) in Prison Inspections	Lecture-cum-Discussion	White Board, Marker, Projection System	135	In-House / Guest Faculty		Q & A
2.	State the international external monitoring and inspecting bodies				(35)			
3.	Describe the best practices in prison monitoring in other countries				(40)			
4.	Explain the types of Monitoring and Inspection Mechanisms in other countries				(30)			
					(30)			

LEARNING EVENT

Unit		06						
Learning Unit		Positive Attitude						
Training Objective		At the end of training, participants will be able to explain the ways of building Positive Attitude						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1	Describe Attitude	- Attitude Definition	Lecture-cum-Discussion	White Board, Marker, Projection System Video	60	In-House / Guest Faculty		Q & A
2.	Explain the ways of building Positive Attitude	- Positive and Negative Attitude - Tips to building Positive Attitude						

LEARNING EVENT

Unit		07						
Learning Unit		Internal Inspections in Indian Prisons						
Training Objective		At the end of training, participants will be able to explain the types of internal inspections of prisons in India						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	Describe the types of internal inspections that take place in Indian prisons	- Internal and External Inspections Announced and un-announced inspections	Lecture-cum-Discussion	White Board, Marker, Projection System	75 (20)	In-House / Guest Faculty		Q & A
2.	State the purpose and importance of internal inspections	- Provisions under Prison Manual			(20)			
3.	Explain the process of internal inspections of prisons that take place in India.	- Inspection by I.G. / Medical Officer - Inquiries into incidences and prison disturbances - Inspection Report and follow-up action			(35)			

LEARNING EVENT

Unit	08							
Learning Unit	Prisoner Grievance Redressal System							
Training Objective	At the end of training, participants will be able to explain the Prisoner Grievance Redressal System available to prisoners							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	State the types of grievance redressal mechanism in the prisons	- Prisoner request and complaint mechanisms. - Mandela Rules	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty	- MHA Advisories - State Rules / Legislations / Orders / Manual - Landmark Judgments - Model Prison Manual, 2016	Q & A
2.	Examine the importance of prisoner's grievance redressal	- Use of Complaint Box/ Suggestions Box / Mobile Petition Box						
3.	Explain the Grievance Redressal System available to prisoners.	- Role of Superintendent - Role of Judiciary - Complaints to higher authorities, Appeal Procedure - Best practices - Sampark Sabha in Tihar						

LEARNING EVENT

Unit	09							
Learning Unit	Prison Visiting System : Board of Visitor, Non Official Visitor							
Training Objective	At the end of training, participants will be able to explain the Prison Visiting System							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1	State the composition Board of Visitors	- History, Composition and Functions of Board of Visitors - Legal Provisions under the Prison Act and Prison Rules. - Powers and Duties of Visitors - Do's and Don'ts of NOV's	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty Serving or Retired District Judge		Q & A
2	State functions of the Board of Visitor (BoV)							
3	State the Do's and Don'ts for Non Official Visitors (NOVs)							
4	Explain the Prison Visiting System							

LEARNING EVENT

Unit		10						
Learning Unit		Field Visit to Prison						
Training Objective		At the end of training, participants will be able to explain the practical aspects of facilitating prison visits of Non-Official Visitors (NOVs)						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1	State the checklist for prison visitors	- Check list for Prison visitors - Access to the Prison - Procedures for Prison visit - Practical Aspects and Follow-up	Field Visit		120	In-House / Guest Faculty	Checklist	Q & A
2.	Explain the practical aspects of facilitating prison visits of NOV's							

LEARNING EVENT

Unit		11						
Learning Unit		Judicial Oversight of Prisons						
Training Objective		At the end of training, participants will be able to explain the role of the District Judge while inspecting a Prison						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1	Describe the legal provisions related to judicial inspection of prisons	- The legal aspects of judicial oversight - Role of District Judge in inspecting prisons	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty		Q & A
2.	Explain the role of the District Judge while inspecting a Prison	- Monthly Inspections of District Judge						

LEARNING EVENT

Unit	12							
Learning Unit	Prison Oversight and Role of Legal Services Authority							
Training Objective	At the end of training, participants will be able to explain the role of District Legal Services Authorities in Monitoring the undertrials in Prisons							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	Explain the functioning of District Legal Services Authority (DLSA) / State Legal Services Authority (SLSA)	- National Legal Services Authority - Role of State Legal Services Authorities - Role of District Legal Services Authority - History, Composition, Mandate of UTRC Undertrial Review Committee - NALSA Standard Operating Procedure on UTRC	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty		Q & A
2.	State the composition of Undertrial Review Committee				(20)			
3.	Explain National Legal Services Authority (NALSA) Standard Operating Procedure on Undertrial Review Committee (UTRC)				(25)			
4.	Explain the Role of District Legal Services Authority (DLSA) for the Undertrial Review Committee				(30)			

LEARNING EVENT

Unit		13						
Learning Unit		Role of Prison Officers with regard to Undertrial Review Committee (UTRC)						
Training Objective		At the end of training, participants will be able to explain the Role of Prison Staff in preparing of lists of undertrial for the UTR Committee						
Enabling Objectives At the end of training, participants will be able to		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	State the role of the Prison Superintendent with regard to the UTR Committee	- Problem of Undertrials in Prisons - Supreme Court judgment on reducing Undertrial in Prisons	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty		Q & A
2.	Explain the role of Prison Staff in preparing lists of undertrial for the UTR Committee	- Role of the Prison Superintendent as regards the UTR Committee - Role of Prison Staff in preparing lists of undertrial for the UTR Committee			(15) (30) (30)			

LEARNING EVENT

Unit		14						
Learning Unit		Oversight of Premature Release of Prisoners						
Training Objective		At the end of training, participants will be able to evaluate the efficacy of the Parole, Furlough and Remission Mechanisms in prisons						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1	Explain the need of oversight of the Parole and Furlough Mechanism of the prison	- Premature release mechanisms - Remission and types - Procedure for grant of Parole and furlough and Time taken.	Lecture-cum-Discussion	White Board, Marker, Projection System	60 (30)	In-House / Guest Faculty		Q & A
2.	Evaluate the efficacy of the Parole, Furlough and Remission Mechanisms in prisons	- Judgements on Parole & Remission Atbir vs. State of NCT of Delhi, 2022 case			(30)			

LEARNING EVENT

Unit		15						
Learning Unit		Role of Media in Prison Oversight						
Training Objective		At the end of training, participants will be able to discuss the importance of media in bringing transparency and accountability to the prison system						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	Discuss the role of media in promoting accountability	- Media and its Role in promoting transparency	Panel Discussion	White Board, Marker, Projection System	60	In-House / Guest Faculty		Q & A
2.	Discuss the importance of media in bringing transparency and accountability to the prison system	- Types of Media – Electronic, Print and Online platforms			(20)			
		- Impact of News			(20)			
		- PIL based on prison news e.g. in Re-inhuman conditions in 1382 prisons			(20)			
		- Media and prison oversight						

LEARNING EVENT

Unit		16						
Learning Unit		External Oversight –Role of NHRC in Prison Oversight						
Training Objective		At the end of training, participants will be able to discuss various directions by National Human Rights Commission (NHRC) on prison-related matters						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	List the major provisions of the Protection of Human Rights	- Brief about the Protection of Human Rights Act,1993	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty		Quiz Q & A
2.	Discuss the directions of the NHRC on prison related matters	- Role of NHRC in Prison Oversight			(20)			
		- NHRC Directions on prisons and Implementation (Medical examination, Custodial deaths, Premature release, Under trial prisoners Guidelines on – Mentally ill prisoners, reading material to prisoners, etc.)			(25) (30)			

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LEARNING EVENT

Unit	17							
Learning Unit	Oversight Mechanism for Women Prisoners and Children							
Training Objective	At the end of training, participants will be able to explain the oversight mechanism for women prisoners							
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	Discuss the grievance redressal of women prisoners and their special needs	- Grievance Redressal of Women Prisoners - Role of National Commission for Women (NCW) as oversight body for women in prison - Recommendations of NCW made for Women Prisoners	Lecture-cum-Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty		Q & A
2.	Describe the role of NCW as an oversight body for women in prison				(20)			
3.	Explain the oversight mechanism for women prisoners				(25)			
					(30)			

LEARNING EVENT

Unit		18						
Learning Unit		Role of NGOs in Prison Oversight						
Training Objective		At the end of training, participants will be able to discuss the Role of Non-Governmental Organizations (NGOs) in monitoring prisons						
Enabling Objectives At the end of training, participants will be able to-		Content	Method	Media	Time (Mins.)	Trainer	Performance Aid	Assessment
1.	Discuss the role of NGOs in promoting accountability in prisons	- NGOs working in Prisons (International and National)	Panel Discussion	White Board, Marker, Projection System	75	In-House / Guest Faculty/ NGO		Q & A
					(35)			
					(20)			
2.	Discuss the role of NGOs in monitoring prisons	- NGOs Role in promoting accountability - Framework of Reference for NGOs			(20)			

Part -C

RESOURCE MATERIAL

Section - 1 Handouts

Section -2 Checklist

Section - 3 Videos & Films

HANDOUTS

Section-1

HO - 1	Prison Culture
HO - 2	Oversight and Monitoring Mechanisms
HO - 3	Human Rights in Prisons
HO - 4	Right to Information Act, 2005
HO - 5	External Monitoring Mechanisms
HO- 6	Internal Inspections
HO - 7	Prisoner Grievance Redressal
HO -8	Prison Visiting System
HO -9	Undertrial Review Committee
HO - 10	Role of NHRC

PRISON CULTURE

- Prisons –A total institution-Prison subculture
- Cut off from society
- Closed world
- Prisoners contact with outside world is essential
- Free and unbiased observers are needed.

Prison Sub-Culture

Sykes (1958), in *The Society of Captives*, analyses the great suffering to which prisoners are subjected (pains of imprisonment); despite the dating of the studies, the analysis is considered relevant. The sufferings of the prisoners are divided into different types-

1. Loss of personal freedom
2. Deprivation of daily goods and services
3. Deprivation of heterosexual relations; and
4. Deprivation of autonomy and independence
5. Deprivation of personal security

OVERSIGHT AND MONITORING MECHANISMS

- External/internal
- Independent/ not independent
- Complaints-focussed
- Audit-compliance focussed
- ‘Human rights’ criteria vs values/ or ‘good governance’ criteria
- Sector-specific vs generalist
- Formal vs voluntary/informal

Internal/external bodies

- Internal body – working knowledge; access to policy development; can negotiate

Effective external monitoring bodies

- Authority? Powers?
- Independence
- Access
- Expertise
- Impartiality
- Enforcement
 - Pressure of Example
 - Unannounced/ Announced visits:
 - **Formal external monitoring bodies**
- United Kingdom : HM Inspectorate of Prisons
- Western Australia : Office of the Inspector of Custodial Services
- Regional
 - Committee for the Prevention of Torture
 - National Human Rights Commission (NHRC) / State Human Rights Commission (SHRC)

HUMAN RIGHTS IN PRISONS

International Obligations and Standards

There is a range of relevant international human rights obligations and standards which should guide the approach to inspection work.

- The Universal Declaration of Human Rights (UDHR)
- The International Covenant on Civil and Political Rights (ICCPR)

ICCPR

- **Article 7**
- No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 10(1)

- All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.

Article 10(3)

- The penitentiary system shall comprise treatment of prisoners the essential aim of which shall be their reformation and social rehabilitation.

There are standards dealing with the treatment of prisoners that are not legally binding but are accepted as best practice.

- The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) (2015).
- The United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the Bangkok Rules) (2010)

Nelson Mandela Rules, 2015

Rule 1. All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.

Rule 84 Mandela Rules

Inspectors shall have the authority:

- To access all information on the number of prisoners;
- To freely choose which persons to visit;
- To conduct private and fully confidential interviews;
- To make recommendations to the prison administration and other competent authorities.

Sunil Batra Case-

- The essential human right principles in prisons as laid down by the Hon'ble Supreme Court also,
- Prison is the punishment, not for punishment.
- A person in prison does not become a non-person

Justice Krishna Iyer-Prison gates are not iron curtain between the prisoner and human rights

RIGHT TO INFORMATION ACT, 2005

The objects of Right to Information Act broadly are :

- Setting out the practical regime of right to information for citizens
- Promote transparency and Accountability
- Also to contain corruption
- Preservation of confidentiality of sensitive information.

Basic elements of RTI Act:-

Some of the basic elements of RTI Act are listed below:-

- Shifting trend from culture of secrecy to culture of openness.
- Maximum disclosures; minimal exception.
- Mandatory disclosure (Suo Moto).
- Accountability.
- Time limits for providing information.
- Protection of informer/Source of information.
- Protection of privacy of individuals.
- Appellate jurisdiction & power for imposing penalty.
- Reasonable for obtaining information.

EXTERNAL MONITORING MECHANISMS

(International)

External mechanisms for complaints, monitoring and inspection

- External monitoring and oversight includes monitoring conducted by various committees, ombudspersons or citizen-visitor organizations appointed or approved by a government body such as a ministry / department. It also includes monitoring conducted by national or international NGOs who have not been officially appointed by the Government. The Ombudsperson and Complaints Commission have also been established in certain countries example U.K. which have an independent and specific mandate to inspect prisons and talk with prisoners who request for help. The Ombudsperson focuses on the conditions of imprisonment of all people held in detention.
- **Prison and Probation Ombudsman in UK** does investigation in prisons to understand what happened, to correct injustices and to identify learning for the organisations whose actions they oversee so that the PPO makes a significant contribution to safer, fairer custody and offender supervision.
- **Her Majesty's Inspectorate of Prisons for England and Wales (HMI Prisons)** is an independent inspectorate which reports on conditions for and treatment of those in prison, young offender institutions and immigration detention facilities. HM Inspectorate of Prisons works with the Ministry of Justice.

International Monitoring Mechanism

- On the basis of the Geneva Conventions, the International Committee of the Red Cross visit places of detention during conflict. They can also visit at other times when there is an agreement with the State. The visits of the ICRC are conducted in a confidential manner and their reports to the State are also confidential. The ICRC did visit the prisons in J&K.

INTERNAL INSPECTIONS

- Prison Inspections may vary in their scope and purpose. Comprehensive inspections may be conducted to assess overall compliance of the jail operation and see the standards of prisons.
- Sometimes there are Investigations of specific incidents or allegations of misconduct, e.g. Prison Escape, Prison Riot, and Suicide in Prison.
- Inspection of Food, Medical Services are done by Medical Officer
- Inspection is conducted by I.G/D.I.G Rank Officer
- Frequency of Inspection
- Inspection can be unannounced and announced
- Documentation of Findings in form of a Report, Inspection Note.

PRISONER GRIEVANCE REDRESSAL

Principle 33 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment reads:

(1) A detained or imprisoned person or his counsel shall have the right to make a request or complaint regarding his treatment, in particular in case of torture or other cruel, inhuman or degrading treatment, to the authorities responsible for the administration of the place of detention and to higher authorities and, when necessary, to appropriate authorities vested with reviewing or remedial power.

(2) In those cases where neither the detained or imprisoned person nor his counsel has the possibility to exercise his rights under paragraph 1 of the present principle, a member of the family of the detained or imprisoned person or any other person who has knowledge of the case may exercise such rights.

(3) Confidentiality concerning the request or complaint shall be maintained if so requested by the complainant.

(4) Every request or complaint shall be promptly dealt with and replied to without undue delay. If the request or complaint is rejected or, in case of inordinate delay, the complainant shall be entitled to bring it before a judicial or other authority. Neither the detained or imprisoned person nor any complainant under paragraph 1 of the present principle shall suffer prejudice for making a request or complaint.

- **Rule 36 of the Standard Minimum Rules for the Treatment of Prisoners reads:** (1) Every prisoner shall have the opportunity each week day of making requests or complaints to the director of the institution or the officer authorised to represent him.

PRISON VISITING SYSTEM

The prison visiting system works as a monitor of prison conditions and simultaneously acts as a 'Check' on the prison administration. The present provisions for official and non-official visitors in Prison Manuals of various States are the result of Sub Section (25) of Section 59 of the Prison Act of 1894.

Powers of Board of Visitors

The Model Prison Manual, 2016 provides the following powers to the Board of Visitors :-

- (a) To call for and inspect any book or other record, unless the Jail Superintendent decline the same in writing after recording reasons; and
- (b) To see any prisoner and to put question to him, out of hearing of any prison officer.

Duties of Board of Visitors

The following duties of the Board of Visitors have been prescribed in the Model Prison Manual, 2016.

- (a) To examine the cooked food;
- (b) To inspect the barracks, wards, work-sheds and other buildings of the prison generally;
- (c) To ascertain whether considerations of health, cleanliness and security are attended to, whether proper management and discipline is maintained in every respect and whether any prisoner is illegally detained, or is detained for undue length of time while awaiting trial;

- (d) To examine prison registers and records, except secret records and records pertaining to accounts;
- (e) To hear and attend to all representation and petitions made by or on behalf of the prisoners;
- (f) To direct, if deemed advisable, that any such representation or petition be forwarded to the Government; and
- (g) To suggest new avenues for improvement and correctional work.

Officials Visitors

The official visitors in the Board of Visitors shall comprise the following ex-officio members :-

- (a) The District Judge at the District Level or the Sub Divisional Judicial Magistrate exercising jurisdiction, as Sub Division level;
- (b) The District Magistrate, at the District Level or sub divisional officer at Sub Division level;
- (c) The District Superintendent of Police;
- (d) The Chief Medical Officer of the Health Department at the District level or the Sub Division Medical Officer at Sub Division Level.
- (e) The Executive Engineer, PWD at the District level, or Assistant Engineer, PWD at Sub Divisional level;
- (f) The District Education Officer dealing with literacy programmes;
- (g) The District Social Welfare Officer;
- (h) The District Employment Officer;
- (i) The District Agricultural Officer; and
- (j) The District Industrial Officer.

Non-Official Visitors

The following non-official members may be nominated by the State Government in the Board of Visitors (Model Jail Manual Provisions)

- (a) Three MLAs, one of them to be a woman;
- (b) One nominee of the State Human Rights Commission; and
- (c) Two Social Workers, one of them to be a woman having interest in prison administration and welfare of prisoners.

The tenure of non -official visitors shall be for 2 years. They shall be eligible for re-appointment. Appointing authority may cancel appointment of non- official visitors at any time. Allowances for attending the meeting shall be paid at the rate fixed by the State Government.

UNDERTRIAL REVIEW COMMITTEE

Formation of the Undertrial Review Committee

One of the major problems / challenges of prison overcrowding due to high undertrial population, Hon'ble Supreme Court in 'In Re-Inhuman Conditions in 1382 Prisons', Writ Petition (Civil) No. 406/2013 directed National Legal Services Authority (NALSA), along with Ministry of Home Affairs and State Legal Services Authorities (SLSAs), to ensure formation of Undertrial Review Committees (UTRC) in every district, vide order dated 24 April 2015

- Composition
- Mandate
- Criteria for eligibility processes
- Action and Follow-up
- Role of legal services authorities

Composition of the Undertrial Review Committee

District & Sessions Judge (Senior most Judicial Officer of the District)	Chairperson
District Magistrate (Senior most Administrative Officer of the District)	Member
Superintendent of Police (Senior most Police Officer of the District)	Member
Secretary, District Legal Services Authority (Officer in-charge of providing Legal Aid in the district)	Member
Superintendent of Prison (Officer in-charge of Prisons situated in district)	Member
Chief Public Prosecutor	Suggested Member

Mandate of the Undertrial Review Committee

The Supreme Court order dated 24 April 2015 mandated the UTRCs to review three categories of undertrial prisoners – (i) eligible under Section 436A of Cr.P.C., (ii) undertrial released on bail but unable to furnish security and (iii) undertrials accused of compoundable offences.

Subsequently, through orders dated 5 February, 2016 and 6 May, 2016, the Court expanded the mandate of UTRCs from 3 categories to 14 categories of inmates including convicts, to be reviewed for release.

ROLE OF NHRC

The National Human Rights Commission (NHRC) of India was established on 12 October, 1993. The statute under which it is established is the Protection of Human Rights Act (PHRA), 1993 as amended by the Protection of Human Rights (Amendment) Act, 2006.

Section 2(1)(d) of the PHRA defines Human Rights as the rights relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India

Some of the directions of NHRC on Prison related issues pertain to

1. Reporting of custodial deaths
2. Post Mortem Examination
3. Human Rights in Prisons
4. Mentally ill prisoners
5. Medical Examination of Prisoners
6. Undertrial prisoners
7. Premature Release of Prisoners
8. Reading material to prisoners.

CHECKLIST

Section 2

- CL-1 Right to Information Act, 2005
- CL-2 Prison Visitors
- CL-3 Parole and Furlough

RTI

Some important tips for SPIOs:

The SPIOs need to keep following in mind while handling application under RTI:

1. PIO is required to provide ‘information’ which is available in any form with his office rather than giving ‘personal opinion’ on the question asked by the requesters.
2. If the requested information is not available in electronic form as required by the requester, it does not have to be created for the applicant.
3. There is no liability to supply ‘non-existent’ information where the record has been destroyed as per instructions / schedules.
4. If multiple number of PIOs are appointed in the same public authority : there is no scope to either ask the citizen to approach another PIO within the same Public authority or to send the request to another PIO, within the same Public Authority. The SPIO who receives the application shall collect the information and supply to the requester.
5. SPIO cannot intercept the first appeal and decide it himself.
6. The application can be either in Hindi or English or regional language.
7. Assistant Public Information Officer shall not supply information directly to the applicant, even if the same is available with him / her.
8. If the information is not provided within specified time, it shall be provided free of cost, and the additional fee so received, shall have to be refunded.

9. Notwithstanding the exemption permissible under Section 8(1) of the Act, access to information is to be allowed, if public interest in disclosure outweighs the harm to the protected interest.
10. Information supplied by a third party can be provided by the PIO subject to legal safeguards under Section 11.
11. The burden is on the PIO to prove before the Information Commission in appeal that he acted reasonably and diligently. He has to support the same with documentary evidence.
12. The PIO is personally liable to pay penalty if the same is imposed by the Information Commission while deciding on complaints and appeals.
13. The penalty clause could be invoked when SPIO, inter-alia delays the information, knowingly gives incorrect, incomplete or misleading information. Penalty for refusal to receive an application for information or for providing information is Rs. 250/- per day but the total amount of penalty should not exceed Rs. 25,000/-.

Checklist for R.T.I.

Sr.No.	Situation	Time limit for disposing off applications
1	Supply of information in normal course	30 days
2	Supply of information if it concerns the life or liberty of a person	48 hours
3	Supply of information if the application is received through APIO	05 days shall be added to the time period indicated at Sr. No. 1 and 2
4	Supply of information if application / request is received after transfer from another public authority :- a) In normal course b) In case the information concerns the life or liberty of a person	a) Within 30 days of the receipt of the application by the concerned public authority. b) Within 48 hours of receipt of the application by the concerned public authority
5	Supply of information by organizations specified in the Second Schedule. a) If information relates to allegations of violation of human rights. b) In case information relates to allegations of corruption	a) 45 days from the receipt of application b) Within 30 days of the receipt of application
6	Supply of information if it relates to third party and the third party has treated it as confidential	Should be provided after following the procedure given in para 23 to 28 of this part of the document.
7	Supply of information where the applicant is asked to pay additional fee.	The period intervening between informing the applicant about additional fee and the payment of fee by the applicant shall be excluded for calculating the period of reply.

PRISON VISITORS

1. MATERIAL CONDITIONS

- (i) Capacity and occupancy of the establishment (at the time of the visit)
- (ii) Barracks (by geographical sections)
- (iii) Food
- (iv) Personal hygiene

2. REGIME AND ACTIVITIES

- (i) Administration of time
- (ii) Educational programmes / training programmes
- (iii) Activities offered – work programmes and wages given
- (iv) Recreation and Sports Activities
- (v) Contacts with the family of the outside world

3. MEDICAL SERVICES

- (i) Access to medical care – Physical and Psychological
- (ii) Medical staff

4. PRISON STAFF

- _ Number of staff (by categories).
- _ Relationship between guards and detainees; relationship between management and the detainees.
- _ Training of the staff

5. TREATMENT

- _ Allegations of torture and any ill-treatment.
- _ Use of force or other means of restraint.
- _ Use of solitary confinement / punishment and pending parole applications.

6. PROTECTION MEASURES

- (i) Informing detainees

- (ii) Disciplinary procedure and sanctions
- (iii) Complaint and inspection procedures
- (iv) Separation of categories of prisoners
- (v) Registers

Some points to be observed by a Prison Visitor

1. Outside the Gate
2. Interview
3. Admission
4. Infrastructure
5. Overcrowding
6. Water Supply
7. Food
8. Clothing
9. Labour – Work programmes and wages
10. Discipline
11. Prison Offences and Punishment
12. Under-trial Prisoners
13. Adolescents / Juveniles / Young offenders
14. Medical Care
15. Recreation Facilities
16. Parole and Furlough
17. Advisory Board
18. Human Rights Concerns
19. Rehabilitation Programmes
20. Infants with Women Inmates
21. Grievance Redressal

PAROLE AND FURLOUGH

- Are parole and furlough liberally granted to all eligible convicts?
- Are cases of second or subsequent parole subjected to less stringent scrutiny than the first?
- Does the viewpoint of police and district administration on parole exhibit the understanding that this facility is of great importance in the social adjustment and assimilation of offenders?
- Are there any complaints from inmates of discrimination in granting parole?

VIDEO AND FILMS

Section – 3

Nelson Mandela Rules – A short film by UNODC

<https://www.youtube.com/watch?v=oyZgsupoH1Y>

Positive Attitude -B K Shivani - <https://www.youtube.com/watch?v=fjpd12AxlP8>

REFERENCE

REFERENCES

Advisories and Guidelines on Prison Reforms issued by the Ministry of Home Affairs – <http://mha1.nic.in/PrisonReforms/home.html>

Code of Criminal Procedure, 1973.

Protection of Human Rights Act, 1973

Checklist, Monitoring Places of Detention: A Practical Guide, Association for the Prevention of Torture - UNODC.

All India Committee on Jail Reforms (1980-83) Vol-II, Ministry of Home Affairs, Govt. of India.

Ranchodas State of M.P. and Anr. M P High Court, 1987

National Commission for Women Act, 1990

Prison Act, 1894

Right to Information Act, 2005

Recommendations of Parliamentary Committee for Empowerment of Women

Saxena, R.K. (2005). 'Prison Visiting System in India'.

Monitoring Prisons – A Visitor's Guide (2010) – Commonwealth Human Rights Initiative, New Delhi.

Handbook for Prison Leaders (2010) – UNODC. A Basic Training Tool and Curriculum for Prison Managers based on International Standards and Norms. <http://www.unodc.org> 'In Re Inhuman Conditions in 1382 Prisons'

The Bangkok Rules 21 December 2010 - Resolution A/RES/65/229 UN General Assembly adopted the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders ('Bangkok Rules')..

Key to open up a Closed World, CHRI, 2016 – Handbook for Prison Visitors

Looking into the Haze, A Study on Prison Monitoring in India, CHRI 2016

Model Prison Manual, 2016, Government of India, Ministry of Home Affairs, New Delhi.

Monitoring Prisons (2017) : A visitors Guide, CHRI, New Delhi.

Singh, K.P. Singh & Chaudhry, P. (2021) : An Introduction to Prison Administration in India : Sri Ram Law House, Chandigarh.

Sunil Batra vs. Delhi Administration (AIR 1978 SC 1675)

Sunil Batra vs. Delhi Administration (AIR 4980 SC 1579)

Saxena, R.K. Prison Visiting System in India – www.slic.org.in - Board of Visitors

U.N. Mandela Rules <https://www.ohchr.org/en/professionalinterest/pages/basicprinciplestreatmentofprisoners.aspx>

Websites

www.mha.nic.in/

www.bprd.nic.in/

www.nhrc.nic.in/

www.nalsa.gov.in/

www.penalreform.org/

www.prisonreformtrust.org.uk/

www.prisonpolicy.org/

www.ohchr.org/

www.ncw.nic.in

www.humanrightsinitiative.org

www.icpa.ca/

<https://www.prisoninspectorscotland.gov.uk/>

Nelson Mandela Rules – A short film by UNODC

<https://www.youtube.com/watch?v=oyZgsupoH1Y>

<https://www.youtube.com/watch?v=fjpd12Axlp8>

Positive Attitude –BK Shivani

APPENDICES

- 1. REGISTRATION FORM**
- 2. PRE-COURSE ASSESSMENT**
- 3. POST-COURSE ASSESSMENT**
- 4. FEEDBACK FORM**
- 5. COURSE COORDINATOR’S REPORT**
- 6. FIELD-VISIT FORMAT**
- 7. ASSESSMENT – MCQ**
- 8. NOTE FOR THE FACILITATOR ON PANEL DISCUSSION**
- 9. PRISON STATISTICS, 2021 (IN BRIEF)**

REGISTRATION FORM

(Name of the Training Institute)

(Name of the Course)

(Dates)

PARTICIPANT DETAILS

1. Name :
2. Date of birth :
3. Male/Female
- 4.. Qualifications :
(a) Academic
(b) Professional
5. Designation :

ORGANIZATION DETAILS

6. Department/Organization :
7. Address
8. Telephone No.
9. E-mail id :

RESIDENTIAL DETAILS

10. Address
11. Telephone No.
12. Mobile No.
13. Emergency contact details:

Signature
Name
Date

PRE-COURSE ASSESSMENT EXERCISE

Answer the following –

S. No.	Name of Unit (As given in the Course Grid)	Pre-Assessment (Knowledge-level before training)		
		Absolutely Yes	Not Sure	No knowledge
1.	Are you aware of.....			
2.	Do you have an understanding of.....			
.....				

POST-COURSE ASSESSMENT EXERCISE

Answer the following –

S. No.	Name of Unit (As given in the Course Grid)	Post-Assessment (Knowledge-level after-training)		
		Absolutely Yes	Not Sure	No knowledge
1.	Are you aware of.....			
2.	Do you have an understanding of.....			
.....				

FEEDBACK FORM

(To be filled-in by individual participants at the end of the Course)

(Name of the Training Institute)

(Title of the Course)

(Dates of the Course)

1. To what extent the Objectives of the Course were met

To a great extent 4	To some extent 3	To a limited extent 2	Not at all 1

2. Did you receive advance intimation from the Institution about the Course. If so, did you respond to the Institution?

Yes

No

3. What do you think about the structure and organization of the Course to meet the objectives?

Very well Structured 4	Well Structured 3	Some-what structured 2	Un-structured 1

4. How useful this training would be to you immediately in your job?

Very Useful 4	Quite Useful 3	Of limited Use 2	Not at all Useful 1

5. How useful this training is likely to be for the future jobs you may handle?

Very Useful 4	Quite Useful 3	Of limited use 2	Not at all Useful 1

6. Practical Orientation of the course.

Highly Practical Oriented 4	Practically Oriented to a Great extent 3	Practically Oriented to a Limited extent 2	Not Practically Oriented 1

7. How far have you been benefited from interaction with the other participants in the Course?

Substantially 4	Considerably 3	Fairly 2	Not at all 1

8. How far was the Course Material supplied relevant and related to the Course Contents?

Extremely Relevant 4	Considerably Relevant 3	Fairly Relevant 2	Not at all relevant 1

9. To what extent are you satisfied with the following:

(The Training Institution may please block the parameters not applicable)

Satisfied fully 4	Satisfied to a large extent 3	Satisfied to a limited extent 2	Not satisfied 1

- a) Reception & Transport
- b) Residential
- Accommodation

c)	Food Quality & Service				
d)	Classroom facilities				
e)	Library facilities				
f)	Computer facilities				
g)	Interaction with the staff of the Institute				

10. Feedback on the Training/Faculty:
(Kindly fill up the Annexure)

11. Which parts of the Course did you find most helpful?

12. Which parts of the Course did you find least helpful?

13. Your overall impression of the course:

Excellent 4	Very Good 3	Good 2	Fair 1

14. Did the Course give you any specific ideas Yes/No
about improvements in your working
situation when you get back.

15. If yes, kindly spell them out briefly?

16. Any other comments/observations you wish to make about the Course

Date:

Name

Designation

Place:

Organisation

COURSE COORDINATOR'S REPORT
on
(Name of the Training Course)
(Duration)

1. Name of the Training Institution :
2. Whether the Course was conducted :
In the Institute's Campus or elsewhere
3. Title of the Course :
4. Duration of the Course :
5. Number of participants :
(Attach final list of participants)
6. Details of Training Facilitators :
(Name/Designation/Organization)
(In-House/Guest)
7. States/UTs represented :
8. Details of Sessions with working hours :
9. List of Training Material distributed :
10. Details of Methods/Methodology used:
11. Feedback of participants :
(Attach copies of Feedback Forms)
12. Summary of the Feedback :
13. Summary of the Pre/Post Assessments :
14. Any areas of improvement **noticed** :
15. Overall impression of the Course :
Coordinator

Signature
(Name of the Course Coordinator)
Designation
Date
(Mobile Number/E-mail)

FIELD VISIT REPORT FORMAT

Format of Field Visit Report

Name of the trainee officer :

Batch No. :

Officer in charge of the visit :

Name of the Institute/organization visited :

Time and Date of visit :

Subject for which visit is made :

Signature of the trainee

Signature of the officer in charge of the visit

Structure of the Report

1. Introduction about the institute
2. Origin and history of the institute
3. Primary duties and functions of the institute
4. Officer with whom interacted
5. Report of the Visit [write summary of learnings from the visit] \
9. Any other Comments/ remarks about the visit and the learning's from the visit.

ASSESSMENT QUESTIONS : OVERSIGHT MECHANISM

1. How are prisoners' grievances are redressed in the prison?
2. Define Board of Visitors?
3. What are the duties of Board of Visitors?
4. What is the composition and mandate of the UTR Committee?
5. What is the role of the Superintendent as regards to UTRC?
6. What are the functions of National Human Rights Commission?
7. Mention directions of NHRC on Prison Administration.
8. Define Right to Information under the provisions of the RTI Act, 2005?

Quiz on RTI

1. What is the maximum limit for supplying information under RTI Act under following situations:
 - (i) When request is received through APIO
 - (ii) When it relates to security of life and liberty
2. Time limit for filing appeal before the 1st and 2nd Appellate Authority
3. Maximum limit of penalty can be imposed by the SPIO

NOTE FOR THE FACILITATOR ON THE PANEL DISCUSSION

Instructions to Course Coordinator

Invite a member from each of the agencies to have a panel discussion

While conducting the panel discussion, faculty should act as a Moderator

The Moderator should introduce the theme and then the panellists. Each panellist can be given around 15 minutes time to speak and discuss the role of their agencies and areas where coordination is required. After all panellists have spoken, the panel should be open for discussion with question from the participants. The key points of each speaker should be summed up by the moderator and the discussion should be concluded by the moderator well within time. The participants should be instructed to ask specific questions to the panellists.

Group Discussion :

Each Participant should be encouraged to participate. Establish Ground Rules first.

Cull out the important points that emerge from the discussion

Action Plan :Group Work Activity

Prison based Rehabilitation programs

Participants should be divided into groups of 5-6 members of all ranks (warder, to Superintendent)and all should brainstorm and discuss what goals to set for prisoner rehabilitation programs in a particular prison. Action Plan should be time bound and can be short term, medium term and long term. Work Sheets, Flip chart sheets and sketch pen should be distributed to all the groups and facilitator should ensure that all contribute their ideas. Each goal should make clear the responsibility-what you can do at your level (e.g. at Deputy Superintendent level),what can be done by others (e.g. at headquarters).Further review of action is essential. Make clear that there is a start and end date to the action, so the Plan is time bound.

PRISON STATISTICS INDIA – 2021

Total Number of Prison Inmates as on 31.12.2021			
Male	:	5,31,025	
Female	:	22,918	
Transgender	:	91	
Prison Population	:	5,54,034	

Prisoner Types and Demography

Convicts		Undertrials		Detenues		Others	
Male	117846	Male	409346	Male	3381	Male	452
Female	4990	Female	17745	Female	88	Female	95
Transgender	16	Transgender	74	Transgender	01	Transgender	00
Total	122852	Total	427165	Total	3470	Total	547

Number of Jails, Capacity, Population and Occupancy Rate in India at the end of 2021

Type of Jail	Number	Authorized Capacity	Population of Inmates	Occupancy Rate(%)
Central Jail	148	193536	239311	123.7
District Jail	424	163606	254214	155.4
Sub Jail	564	45436	46736	102.9
Special Jail	41	7473	6582	88.1
Open Jail	88	5953	2178	36.6
Women Jail	32	6767	3808	56.3
Borstal School	19	1775	745	42.0
Others	03	1063	460	43.3
Total	1319	425609	554034	130.2

Source: NCRB, MHA (2021) <https://ncrb.gov.in/en/prison-statistics-india-2021>